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PERMANENT ADMINISTRATIVE ORDER

PTLB 2-2020

CHAPTER 848
PHYSICAL THERAPIST LICENSING BOARD

FILED

06/12/2020 1:53 PM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Modifications to implement cultural competence, pain management requirements and non-clinical options.

EFFECTIVE DATE: 06/19/2020

AGENCY APPROVED DATE: 06/12/2020

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RULES:

848-035-0010, 848-035-0015, 848-035-0020, 848-035-0030, 848-035-0035, 848-035-0040

AMEND: 848-035-0010

RULE TITLE: Purpose

NOTICE FILED DATE: 03/30/2020

RULE SUMMARY: Updating the name of the board.

RULE TEXT:

The 2005 Oregon Legislation gave new authority to the Oregon Board of Physical Therapy, effective January 1, 2006, to adopt rules establishing minimum continuing competence requirements for all licensees. The following rules set out the requirements.

STATUTORY/OTHER AUTHORITY: ORS 688.160

STATUTES/OTHER IMPLEMENTED: ORS 688.160(6)(g)

AMEND: 848-035-0015

RULE TITLE: Definitions

NOTICE FILED DATE: 03/30/2020

RULE SUMMARY: Updating references in definition of (1) and dates in part (2).

RULE TEXT:

As used in this Division:

(1) "Continuing Competence" means continuing education mandatory requirements, course work or other professional activities as provided in OAR 848-035-0030(1), (2) and (3).

(2) "Certification period" means a 24 month continuing competence certification period which runs from April 1st of each even numbered year, through March 31st of the next even numbered year, (e.g. April 1, 2018 through March 31, 2020).

(3) "Hours" means contact hours.

STATUTORY/OTHER AUTHORITY: ORS 688.160

STATUTES/OTHER IMPLEMENTED: ORS 688.160(6)(g)

AMEND: 848-035-0020

RULE TITLE: Required Hours and Period for Completion

NOTICE FILED DATE: 03/30/2020

RULE SUMMARY: Clarifying requirements for total number of hours relating to initial license date, adding minimum duration per course; updating for references; adding clarification of qualification and time frame for requesting waiver or extension of requirements.

RULE TEXT:

- (1) All licensed physical therapists and physical therapist assistants are required within each certification period to complete 24 hours of continuing competence consistent with the requirements, minimums and maximums as defined in OAR 848-035-0030. No single qualifying continuing competence activity may be less than .5 hours.
- (2) Except as provided in parts (3), (4) and (5) of this rule, for purposes of determining whether a licensee has satisfied the continuing competence requirement under this rule, the Board will accept all qualifying continuing competence hours completed any time within the current certification period in which the license was issued or renewed, regardless of the specific date the license was issued or renewed. This includes continuing competence taken by student physical therapists or student physical therapist assistants, outside their program requirements, while they are enrolled in a physical therapy program.
- (3) Notwithstanding the provisions of part (2) of this rule, a licensee must complete and document pursuant to OAR 848-035-0040, all 24 hours of continuing competence hours prior to renewal of license.
- (4) Notwithstanding the provisions of part (1) of this rule, any person who is first issued a license, or who renews a license that lapsed at the end of the prior certification period, must complete continuing competence hours in the current certification period as follows:
 - (a) If initially licensed or renewed anytime during the first year of a certification period (April 1st of an even numbered year through March 31st of an odd numbered year), the individual must complete the full 24 hours of continuing competence required for that certification period. A licensee whose license lapses on April 1st of an even numbered year, regardless of the reason, and who subsequently renews the lapsed license during the first 12 months of a new certification period, shall provide documentation of completion of the continuing competence requirements for the immediately prior certification period before the license will be renewed. For this purpose, the continuing competence activities may be completed in the prior or current certification period, however, any specific activity can only be applied once.
 - (b) If initially licensed or renewed anytime during the second year of a certification period (April 1st of an odd numbered year through March 31st of an even numbered year), the individual must complete one-half (12 hours) of the continuing competence required for that certification period.
 - (c) Thereafter, such licensees must complete the same continuing competence requirements as other licensees.
- (5) Notwithstanding the provisions of this rule and OAR 848-010-0033(6), a physical therapist or physical therapist assistant who is first licensed between January 1st to and including March 31st of an even numbered year and is renewing a license during an even numbered year is not required to complete continuing competence for the current certification period. Thereafter, such licensee shall be subject to the continuing competence requirement for all subsequent certification periods.
- (6) Failure to complete the required continuing competence by March 31st of an even-numbered year shall constitute a violation of this Division 35.
- (7) In individual cases involving physical disability or illness, undue hardship, or active military duty, the Board may grant waivers of the continuing competency requirements or extensions of time to fulfill the requirement. Requests for waiver or extension shall be made to the Board, in writing, at least 60 days prior to license expiration.

STATUTORY/OTHER AUTHORITY: ORS 688.160

STATUTES/OTHER IMPLEMENTED: ORS 688.160(6)(g)

AMEND: 848-035-0030

RULE TITLE: Continuing Competence Requirements and Restrictions

NOTICE FILED DATE: 03/30/2020

RULE SUMMARY: Adding option for non-clinical courses; adding mandatory requirements for cultural competency courses per statutory requirement and for pain management for new PTA licensees; clarifying courses that qualify for mandatory, clinical and non-clinical categories.

RULE TEXT:

(1) Mandatory Requirements: Of the 24 required hours of continuing competence, all licensees must complete the following mandatory course requirements as follows, when applicable:

(a) Pain Management: Effective January 2, 2008, all Oregon licensed physical therapists must fulfill a one-time only pain management education requirement as defined in ORS 413.590.

(A) Physical Therapists must complete this coursework requirement within a period of 24 months from initial date of licensure.

(B) The requirement is seven hours of pain management education, which includes the completion of the one hour on-line pain management course described under part (D) below.

(C) The seven hours of pain management education may be used to satisfy part of the physical therapist's continuing competence requirement under OAR 848-035-0020 for the current certification period. However, pain management education hours taken in a prior certification period and used to satisfy the pain management requirement cannot be used to satisfy part of the continuing competence requirement for the current certification period.

(D) Effective November 1, 2012, all physical therapist license applicants must provide evidence of completion of the one hour on-line pain management course, sponsored and provided by the Oregon Pain Management Commission, as part of the initial application process.

(E) Effective July 1, 2020, all physical therapist assistant license applicants must provide evidence of completion of the one hour on-line pain management course, sponsored and provided by the Oregon Pain Management Commission, as part of the initial application process.

(b) Cultural Competence: Effective April 1, 2020, all licensed physical therapists and physical therapist assistants must complete a minimum of one hour of continuing competence that meets the criteria for cultural competency education. This requirement must be completed each certification period.

(A) The Board shall accept courses approved by the Oregon Health Authority (OHA) under ORS 413.450.

(B) The Board may accept other courses to the extent that the course addresses attitudes and skills that enhance a licensee's ability to communicate and interact effectively with individuals across various cultures, groups and communities.

(2) Clinical Courses or Activities: In addition to the mandatory requirements in part (1) of this rule, the continuing competence requirements of this Division 35 may be satisfied through clinical courses or activities, directly related to the delivery or provision of physical therapy which may include:

(a) Courses, seminars, activities, and workshops sponsored, certified, or approved by an established and recognized health related organization or professional association recognized by the Board, excluding webinars, online or home study courses that do not require an examination or that would be otherwise excluded under part (4);

(b) Courses, seminars or activities approved for continuing education or competency by other states which require continuing education or competency for physical therapists or physical therapist assistants, excluding jurisprudence exams, or webinars, online or home study courses that do not require an examination or that would be otherwise excluded under part (4);

(c) Courses provided by an accredited institution of higher education, which may include but are not limited to, courses leading to an advanced degree in physical therapy or other courses that advance the licensee's physical therapy competence. For purposes of this rule, one college credit is equal to 10 (ten) contact hours;

(d) Individual home study courses, online courses and webinars, requiring an examination;

- (e) Courses in cardiopulmonary resuscitation (CPR), Basic Life Support (BLS), or Advanced Cardiac Life Support (ACLS), will be limited to one hour of continuing competence credit, regardless of the length of the course. A licensee may receive credit for completion of a CPR, BLS, or ACLS course only one time during any certification period, however, a course may be repeated during each subsequent certification period;
- (f) Courses or lectures which a licensee presents if the course or lecture awards continuing competence hours to participants and the licensee requests continuing competence credit from the Board;
- (A) The licensee may receive continuing competence hours equivalent to the actual credit hours awarded to participants for that portion of the program which the licensee presents;
- (B) The maximum cumulative credit granted for presenting courses or lectures shall be no more than one third of the total continuing competence requirement during any certification period and;
- (C) A licensee may receive credit for presenting a particular course or lecture only one time during any certification period, regardless of how many times the licensee presents that course or lecture;
- (g) Publishing an article in a peer review journal;
- (A) The maximum credit granted for publishing an article shall be one third of the total continuing competence requirement during any certification period, up to 8 hours and;
- (B) A licensee may receive credit for publishing an article only one time during any certification period;
- (h) Serving as a certified clinical instructor as follows:
- (A) A licensee who has completed a Board-approved clinical instructor certification program may receive continuing competence credit equivalent to 1 credit hour for each 40 hours of direct clinical instruction to a physical therapist student or physical therapist assistant student enrolled in a physical therapy or physical therapy assistant program.
- (B) The maximum cumulative credit granted for serving as a clinical instructor shall be no more than one-third of the total continuing competence requirement during any certification period, up to 8 hours.
- (C) The licensee must obtain a letter or certificate from the student's academic institution verifying that the student has completed the course of clinical instruction;
- (i) Completion of a specialty certification through the American Board of Physical Therapy Specialists (ABPTS), which shall qualify for a maximum 24 hours of continuing competence during the period in which the specialist certification is awarded;
- (j) Completion of a clinical residency or fellowship program accredited or recognized by the American Board of Physical Therapy Residency and Fellowship Education (ABPTRFE), which shall qualify for a maximum of 24 hours of continuing competence during the period in which the residency or fellowship was completed;
- (k) Passing the Board approved Oregon jurisprudence examination which shall qualify for 3 hours of continuing competence. A licensee may receive credit for completion of the jurisprudence examination only one time during any certification period, however, the course may be repeated each certification period;
- (1) Successful completion of the Oregon Pain Management Commission's web based pain management module which shall qualify for 1 hour of continuing competence credit. A licensee may receive credit for completion of the pain management module only one time during any certification period and;
- (m) Courses or activities approved by the Board by special request. Request for approval shall be made to the Board, in writing, at least 60 days prior to license expiration.
- (3) Non-clinical courses or activities; optional: A portion of the continuing competence requirements of this Division 35 may be satisfied through the following non-clinical courses or activities recognized by an accredited institution or recognized health-related organization or professional association recognized by the Board. Courses completed under this part (3) may qualify for up to a maximum of 8 hours total, with no more than 4 hours maximum from any single category of coursework (a) to (d) within a certification period. A licensee initially licensed or whose lapsed license is renewed in the second year of a certification period, may complete up to 4 maximum hours total from any or all category of coursework (a) to (d).
- (a) Personal Development/Self Care
- (b) Business/Leadership

(c) Professional Conduct/Ethics

(d) Committee work or serving as an officer for the following: Oregon Board of Physical Therapy (OBPT), Oregon Physical Therapy Association (OPTA), American Physical Therapy Association (APTA) or the Federation of State Boards of Physical Therapy (FSBPT). Each meeting will count as one hour and must be documented with a certificate or letter signed by the Chair, Vice Chair, or officer of the organization.

(4) Notwithstanding part (2) or (3) of this rule, activities which will not satisfy the continuing competence requirement include:

(a) Courses provided by an accredited institution of higher education taken as part of the curriculum requirements of a CAPTE accredited physical therapy program;

(b) Workplace non-clinical employee orientation programs or trainings completed as a condition of employment;

(c) Courses, seminars or activities [that] for which continuing competence hours were applied to an individual's license renewal during the most immediate prior certification period;

(5) A licensee may receive credit for completing a course, seminar or activity only one time during a certification period regardless of how many times the licensee attends that course, seminar or activity.

(6) A licensee who completes more than the required number of continuing competency hours during a certification period, may request to carryover a maximum of 8 hours to the next immediate certification period. Requests to carryover hours shall be made to the Board, in writing, at least 60 days prior to license expiration.

STATUTORY/OTHER AUTHORITY: ORS 688.160

STATUTES/OTHER IMPLEMENTED: ORS 688.160(6)(g)

REPEAL: 848-035-0035

RULE TITLE: Pain Management Course Requirement for Physical Therapists

NOTICE FILED DATE: 03/30/2020

RULE SUMMARY: Repealing section; content incorporated into other sections for clarity.

RULE TEXT:

- (1) Effective January 2, 2008, all Oregon licensed physical therapists must fulfill a one-time only pain management education requirement as defined in ORS 413.590.
- (2) Physical Therapists must complete the coursework requirement within a period of 24 months either before or after the first renewal of their physical therapist license.
- (3) The requirement is seven hours of pain management education, which includes the completion of a one hour on-line pain management course sponsored and provided by the Oregon Pain Management Commission, plus an additional six hours of continuing education relative to the evaluation, diagnosis or treatment of pain.
- (4) Effective November 1, 2012, all physical therapist applicants must provide evidence of completion of the one hour on-line pain management course as part of the initial application process.
- (5) The seven hours of pain management education may be used to satisfy part of the physical therapist's continuing competence requirement under OAR 848-035-0020 for the current period. However, pain management education hours taken in a prior certification period and used to satisfy the pain management requirement cannot be used to satisfy part of the continuing competence requirement for the current certification period.
- (6) Physical Therapist Assistants are exempt from the statutory requirement to complete the pain management education requirement but may elect to complete the Oregon Pain Management Commission's one hour on-line course for credit or complete other hours of education or competency related to the treatment or management of pain.

STATUTORY/OTHER AUTHORITY: ORS 688.160

STATUTES/OTHER IMPLEMENTED: ORS 688.160(6)(g)

AMEND: 848-035-0040

RULE TITLE: Documentation of Continuing Competence

NOTICE FILED DATE: 03/30/2020

RULE SUMMARY: Clarifying requirement to submit completion certificates in part (2).

RULE TEXT:

- (1) In order to qualify for credit against the required hours, a continuing competence course, seminar or activity must include a completion certificate. The certificate must include the title of the course or activity, the name of the sponsor or speaker, date of completion, number of hours and licensee's name.
- (2) The licensee is responsible for obtaining a completion certificate from the sponsor or speaker. The licensee is further responsible for retaining the certificate and submitting a legible copy to the Board in the manner designated by the Board before or during renewal of license. All completion certificates shall be retained by the licensee for a minimum of four (4) years from the certificate date.
- (3) The Board may require all or any percentage of physical therapists and physical therapist assistants who are renewing their licenses in the even numbered year to provide documentation of completion of the continuing competence requirements of this Division 35.

STATUTORY/OTHER AUTHORITY: ORS 688.160

STATUTES/OTHER IMPLEMENTED: ORS 688.160(6)(g)